

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR05-5823RBL
)	
Plaintiff,)	
)	ORDER GRANTING MOTION TO
vs.)	CONTINUE TRIAL DATE
)	
JACOB R. GARDNER, et al.,)	
)	
Defendants.)	
)	

Based on the motion of defendant Jacob R. Gardner, the declaration of defense counsel, the waiver of speedy trial filed by Mr. Gardner, and the records and files herein, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendants the reasonable time for effective preparation his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from May 15, 2006 to
6 **June 12, 2006, at 9:30 am.** The resulting period of delay from May 15, 2006, to
7 June 12, 2006 is hereby excluded for speedy trial purposes under 18 U.S.C. §
8 3161(h)(8)(A) and (B).

9 Pre-trial motions are due no later than **May 1, 2006.**

10 Pre-trial conference shall be on **June 6, 2006, at 9:00 am.**

11 A Motion hearing, if needed, shall be conducted on **June 1, 2006 at 9:00 a.m.**

12 DONE this 20th day of March, 2006.

13
14 IT IS SO ORDERED this 20th day of March, 2006.

15 
16 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

17 Presented By:

18 /s

19 Russell V. Leonard
20 Attorney for Jacob R. Gardner
21
22
23
24
25
26